IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Writ Petition No. 6418 of 2004

Gajanan Pandu Rankar & Ors. ..Petitioners

vs.

State of Maharashtra & Ors. ..Respondents

Mr.R.D.Suryavanshi for petitioner
Mr.Y.D.Mulani, A.G.P. for respondent

**CORAM: A.P.SHAH**
**& S.U.KAMDAR JJ.**
**26th August,2004**

**P.C.**

1. The land of the petitioners was acquired in 1964. In 1993 a suit was filed by the petitioners claiming that despite Award passed under the Land Acquisition Act, the petitioners continued to be in possession of the land. The suit was dismissed by the Trial Court by recording a specific finding that the respondents are in possession of the suit land.

2. By the present petition, the petitioners are for the first time raising a contention that they have not received the compensation for the land. This belated claim which is raised after 40 years cannot be entertained in exercise of discretionary jurisdiction under Article 226. Petition is accordingly dismissed.

Order dated 13.8.2004. 1. Learned A.G.P. is directed to file alffidavit why the amount of compensation is not released in favour of the petitioner and other simialrly situated agricularists.

2. S.O. to 26th August, 2004.